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Practitioner's Docket No.: 939\_023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Akira MATSUMOTO and Masashi FUKUYAMA

Ser. No.: 09/819,330

Group Art Unit: 2839

Filed: March 28, 2001

Examiner: Tulsidas C. Patel

Confirmation No.: 4237

For: OPTICAL FIBER ARRAY

Box RCE  
Assistant Commissioner for Patents  
Washington, DC 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to **Box RCE, Assistant Commissioner for Patents, Washington D.C. 20231** on April 28, 2003 under "EXPRESS MAIL" mailing label number EV 196642770 US.

Tara L. Preston

Tara L. Preston

REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted (*check appropriate item(s) below*):

- i.  Prior to abandonment of the application
- ii.  Payment of the issue fee
  - Prior to payment of issue fee
  - Issue fee has been paid but a petition under § 1.313 was filed (copy attached).
- iii.  Prior to a decision on appeal to the Board of Patent Appeals & Interferences
  - A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv.  Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
  - Commencement of a civil action under 35 U.S.C. 146
    - Prior to the filing of such appeal or commencement of civil action
    - Such appeal or commencement of civil action has been terminated

PREVIOUSLY SUBMITTED DOCUMENTS

3. Please Enter and Consider the following Previously Submitted Documents:

- Amendment filed \_\_\_\_\_.
- Brief on Appeal filed \_\_\_\_\_.
- Other: \_\_\_\_\_

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TECHNOLOGY CENTER 2800  
MAY - 2 2003

**ENCLOSURES**

4. Enclosed herewith is/are:

An Information Disclosure Statement and Form PTO-1449  
 An Identification of Copending Application(s) and Form PTO-1449  
 An Amendment  
 New arguments  
 New evidence in support of patentability  
 Other:

**FEE FOR REQUEST (37 C.F.R. § 1.17(e)).**

5. This application is on behalf of:

Small entity (and status is still as small entity) \$375.00  
 Other than a small entity \$750.00  
Continued Examination Request Fee: \$750.00

**FEE FOR CLAIMS**

6. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate	(7) Additional Fee
TOTAL CLAIMS	16	MINUS	20	0	18.00	00.00
INDEP. CLAIMS	1	MINUS	3	0	84.00	00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						00.00

(c)  No additional fee is required.

**OR**

(d)  Total additional fee required is \$.

### EXTENSION OF TIME

7. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) [ ] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension (Months)	Fee for other than small entity	Fee for small entity
One Month	\$ 110.00	\$ 55.00
Two Months	\$ 410.00	\$ 205.00
Three Months	\$ 930.00	\$ 465.00
Four Months	\$1,450.00	\$ 725.00

Extension Fee \$ 00.00

If an additional extension of time is required, please consider this a petition therefor.

[ ] An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

(b) [x] Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE(S) DUE

8. The total fee(s) due is/are:

Continued Examination Fee (§ 1.17(e)) \$750.00

Fee(s) for additional claims (if any) (§ 1.16(b)-(d)) \$ 00.00

Extension of time fee (if any) (§ 1.17(a)(1)-(4)) \$ 00.00

**Total Fee(s) Due:** **\$750.00**

**PAYMENT OF FEE(S) DUE**

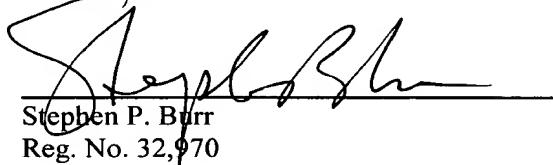
9. Please pay the fee(s) for this continued examination application as follows:

Check is attached for the sum of \$ 750.00

Charge Deposit Account No. 50-1446 the sum of \$

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Deposit Account No. 50-1446.

Respectfully submitted,

  
\_\_\_\_\_  
Stephen P. Burr  
Reg. No. 32,970

SPB/SC/tlp

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